

KEKER & VAN NEST LLP
ROBERT A. VAN NEST - #84065
rvannest@kvn.com
CHRISTA M. ANDERSON - #184325
canderson@kvn.com
633 Battery Street
San Francisco, CA 94111-1809
Telephone: 415.391.5400
Facsimile: 415.397.7188

KING & SPALDING LLP
DONALD F. ZIMMER, JR. - #112279
fzimmer@kslaw.com
CHERYL A. SABNIS - #224323
csabnis@kslaw.com
101 Second St., Suite 2300
San Francisco, CA 94105
Tel: 415.318.1200
Fax: 415.318.1300

KING & SPALDING LLP
SCOTT T. WEINGAERTNER (*Pro Hac Vice*)
sweingaertner@kslaw.com
ROBERT F. PERRY
rperry@kslaw.com
BRUCE W. BABER (*Pro Hac Vice*)
1185 Avenue of the Americas
New York, NY 10036
Tel: 212.556.2100
Fax: 212.556.2222

IAN C. BALLON - #141819
ballon@gtlaw.com
HEATHER MEEKER - #172148
meekerh@gtlaw.com
GREENBERG TRAURIG, LLP
1900 University Avenue
East Palo Alto, CA 94303
Tel: 650.328.8500
Fax: 650.328-8508

Attorneys for Defendant
GOOGLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,

Plaintiff,

v.

GOOGLE INC.,

Defendant.

Case No. 3:10-cv-03561-WHA

**[PROPOSED] ORDER STRIKING TWO
"REBUTTAL" DAMAGES REPORTS BY
DR. KENNETH SERWIN**

Judge: Hon. William Alsup

Date Comp. Filed: October 27, 2010

1 This matter came before the Court on Google's Motion to Strike Two "Rebuttal"
2 Damages Reports by Dr. Kenneth Serwin ("the Motion"). Based on the arguments presented in
3 Google's Motion, the Opposition thereto, and the Reply in support of the Motion, and all
4 supporting materials and any other relevant matter, the Court hereby **GRANTS** the Motion.

5 The following "rebuttal" reports of Dr. Kenneth Serwin, served by Oracle on October 10,
6 2011, are hereby **STRICKEN**:

- 7 • Rebuttal Report of Kenneth S. Serwin To The Expert Report of Alan J. Cox; and
- 8 • Expert Rebuttal Report of Dr. Kenneth Serwin to the Expert Report of Dr.
9 Gregory Leonard.

10 IT IS SO ORDERED,
11

12

HONORABLE WILLIAM ALSUP
13 UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28